

Augustus C. Epps, Jr., Esquire VSB No. 13254      Hearing Date: July 6, 2009 at 2:00 p.m.  
Michael D. Mueller, Esquire, VSB No. 38216  
Jennifer M. McLemore, Esquire, VSB No. 47164      Objection Deadline: June 29, 2009  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**In re:** )  
                        )  
**CIRCUIT CITY STORES, INC., et al.,** )      **Chapter 11**  
                        )  
**Debtors.** )      **Case No. 08-35653-KRH**  
                        )  
                        )      **Jointly Administered**

**RESPONSE OF SENNHEISER ELECTRONIC CORP. TO  
DEBTORS' NINTH OMNIBUS OBJECTION TO CERTAIN  
(I) LATE CLAIMS AND (II) LATE 503(B)(9) CLAIMS**

Sennheiser Electronic Corp. ("Sennheiser") hereby responds to the Debtors' Ninth Omnibus Objection to Certain (I) Late Claims and (II) Late 503(b)(9) Claims (the "Ninth Omnibus Objection") as follows:

1.      Sennheiser supplied stereo headphone systems to Circuit City Stores, Inc. ("Circuit City"), one of the Debtors, both prior to and after the filing of the Chapter 11 petitions,

and is owed \$714,200.08 for goods that it delivered to Circuit City prior to the filing of the Chapter 11 petitions, and for which Circuit City did not pay.

2. Prior to the filing of the Ninth Omnibus Objection, on March 20, 2009, Sennheiser filed the Motion of Sennheiser Electronic Corp. for Entry of An Order (i) Recognizing Sennheiser's Claim as Timely Filed, or Permitting the Filing of a Proof of Claim After the Bar Date and (ii) Allowing an Administrative Expense Pursuant to Section 503(b)(9) of The Bankruptcy Code (the "Sennheiser Claim Motion"), which was docketed in this case as item No. 2723 in this case.

3. The Sennheiser Claim Motion initially was scheduled for a hearing on April 14, 2009, and the hearing was adjourned by agreement of the parties from time to time thereafter. The next hearing date is currently set for July 23, 2009.

4. The Ninth Omnibus Objection includes an objection to Claim No. 11571, in the amount of \$714,200.08, filed by Sennheiser, which is at issue in the Sennheiser Claim Motion.

5. The Sennheiser Claim Motion contains all of the content required by the Notice of Debtors' Ninth Omnibus Objection to Certain Late Claims, which was issued in conjunction with the Ninth Omnibus Objection, and Sennheiser incorporates the Sennheiser Claim Motion and all of its content and exhibits as and for its Response.

6. Sennheiser respectfully requests that any hearing to be held regarding its claims pursuant to the Ninth Omnibus Objection be scheduled concurrently with any hearing on the Sennheiser Claim Motion, because the Ninth Omnibus Objection seeks relief that would be rendered moot upon adjudication of the Sennheiser Claim Motion.

WHEREFORE, Sennheiser respectfully requests that the Court enter an order scheduling any hearing on the Ninth Omnibus Objection concurrently with any hearing on the Sennheiser

Claim Motion; allowing Sennheiser's claims as requested in the Sennheiser Claim Motion; and for such other and further relief as the Court may deem proper and just under the circumstances.

Dated: June 23, 2009

CHRISTIAN & BARTON, LLP

/s/ Michael D. Mueller

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Counsel for Sennheiser Electronic Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of June, 2009, I caused a copy of the foregoing to be served by electronic means on the "2002" and "Core" lists and through the ECF system.

/s/ Michael D. Mueller

Michael D. Mueller

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